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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,450	12/16/2001	Michael Cheiky	968-20-022	1641

7590 10/27/2004
KOPPEL & JACOBS
Suite 215
2151 Alessandro Drive
Ventura, CA 93001

EXAMINER

LUK, LAWRENCE W

ART UNIT	PAPER NUMBER
2838	

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,450

Applicant(s)

CHEIKY ET AL.

Examiner

Lawrence W Luk

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-7, 11-15 and 26-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-7, 12-15 and 26-34 is/are allowed.
- 6) ☒ Claim(s) 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Allowable Subject Matter

DETAILED ACTION

Claim Objections

1. Claim 11 is objected to because of the following informalities: Claim 11 is dependent on claim 10, but claim 10 has been cancelled. Appropriate correction is required.

Allowable Subject Matter

2. Claims 4-7, 12-15 and 26-34 are allowed.

Claim 4 is allowable. The reason for allowance is that the prior art of record fails to disclose or reasonably suggest said voltage divider potentiometer connected across said current source and said battery, said voltage divider potentiometer having an output connected to said reference input of said adjustable band-gap voltage reference diode, and providing a reference input voltage at said reference input to said band-gap voltage reference diode. It is these features found in the claim, as they are claimed in the combination, which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 5 and 6 are allowed due to their dependency on claim 4.

Claim 7 is allowable. The reason for allowance is that the prior art of record fails to disclose or reasonably suggest said adjustable band-gap voltage reference diode in series with said resistor, said series resistor and said band-gap voltage reference diode connected across said current source and said battery, said adjustable band-gap

voltage reference diode having a reference input; said voltage divider potentiometer connected across said current source and said battery, said voltage divider potentiometer having an output connected to said reference input of said adjustable band-gap voltage reference diode, and providing a reference input voltage at said reference input to said band-gap voltage reference diode. It is these features found in the claim, as they are claimed in the combination, which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 12-15 are allowed due to their dependency on claim 7.

Claim 26 is allowable. The reason for allowance is that the prior art of record fails to disclose or reasonably suggest a voltage divider potentiometer connected across said current source and said battery, said voltage divider potentiometer having an output connected to said reference input of said adjustable band-gap voltage reference diode, and providing a reference input voltage at said reference input to said band-gap voltage reference diode. It is these features found in the claim, as they are claimed in the combination, which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 27-34 are allowed due to their dependency on claim 26.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence W Luk whose telephone number is (571)272-2080. The examiner can normally be reached on 7 a.m. to 5 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (571)272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LWL
October 21, 2004

Lawrence Luke
examiner
10/21/04